

# **EXHIBIT W**

**LINDA BIERMANN**

**NO. 2019-7989**

**DIV. "E," SEC. 7**

**versus**

**CIVIL DISTRICT COURT**

**COLGATE-PALMOLIVE COMPANY,  
et al.**

**PARISH OF ORLEANS**

**STATE OF LOUISIANA**

**FILED: \_\_\_\_\_**

**DEPUTY CLERK**

**J U D G M E N T**

This matter came for hearing through Zoom videoconferencing on May 18, 2021 on the following pleadings:

(1) Motion for Partial Exclusion of Plaintiffs' Expert Dr. Jacqueline Moline filed by Defendants, Johnson & Johnson and Johnson & Johnson Consumer Companies, Inc.; and

(2) Motion *in Limine* to Exclude Reference to or Reliance on the Paper Entitled "Mesothelioma Associated with the Use of Cosmetic Talc" filed by Defendant, Colgate-Palmolive Company.

PRESENT before the Court through Zoom were the following:

- (a) John L. Ewald, Meera U. Sossamon, and Darleene D. Peters for Defendants, Johnson & Johnson and Johnson & Johnson Consumer Companies, Inc. ["Johnson & Johnson Defendants"];
- (b) Darin P. McAtee, Scott J. Richman, and John T. Balhoff, II for Defendant, Colgate-Palmolive Company; and
- (c) Jay E. Stuenkel, Christopher J. Murrell, Lindsey A. Cheek, and Jeanne S. Arceneaux for Plaintiffs.

Having considered the pleadings, evidence, memoranda, law, and oral arguments on the foregoing motions, and for the reasons orally assigned,

IT IS ORDERED, ADJUDGED AND DECREED that the Johnson & Johnson Defendants' Motion for Partial Exclusion of Plaintiffs' Expert Dr. Jacqueline Moline is DENIED.

IT FURTHER IS ORDERED, ADJUDGED AND DECREED that Colgate's Motion *in Limine* to Exclude Reference to or Reliance on the Paper Entitled "Mesothelioma Associated with the Use of Cosmetic Talc" is DENIED, under the following conditions: The Court denies the motion to fully exclude reference to or reliance on the Paper entitled "Mesothelioma Associated with the Use of Cosmetic Talc" ["Paper"], but to the extent any of Plaintiffs' witnesses will rely on or refer to the Paper in their testimony at trial, Defendants will be permitted to question Dr. Moline regarding the thirty-three individuals referenced in her paper, including their identities and background. Further, in advance of trial, Defendants will be permitted to depose Dr. Moline and question her regarding the thirty-three individuals referenced in her Paper, including their identities and background.

JUDGMENT RENDERED in Court through Zoom videoconferencing at New Orleans, Louisiana on May 18, 2021.

JUDGMENT SIGNED in Chambers at New Orleans, Louisiana on this 16<sup>th</sup> day of July, 2021.

  
 JUDGE OMAR K. MASON  
 (Sgd.) OMAR K. MASON  
 Judge, Division "E"

No. 2019-7989


Johnson & Johnson Defendants' Motion for Partial Exclusion of Plaintiffs' Expert Dr. Jacqueline Moline

Colgate's Motion *in Limine* to Exclude Reference to or Reliance on the Paper Entitled "Mesothelioma Associated with the Use of Cosmetic Talc"

**RULE 9.5 CERTIFICATE**

I certify that Plaintiffs' counsel circulated a proposed Judgment to counsel for all parties by e-mail on May 25, 2021, and that I notified Plaintiffs' counsel of opposition to the form of the proposed Judgment by e-mail on June 1, 2021, and that as of today, the parties have not resolved their disagreements over form of the proposed Judgment.

Certified this 4<sup>th</sup> day of June, 2021.

  
 JOHN T. BALHOFF, II